

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION**

UNITED STATES OF AMERICA, Plaintiff, vs. ELMER RICHARD PETERSEN, Defendant.	CR 22-91-BLG-SPW PRELIMINARY ORDER OF FORFEITURE
--	---

Before the Court is the United States' Unopposed Motion for a Preliminary Order of Forfeiture (Doc. 53). Defendant Elmer Richard Petersen appeared before the Court on September 11, 2023, and entered a plea of guilty to Counts 2 and 5 of the Indictment. Petersen's plea provides a factual basis and cause to issue an Order of Forfeiture, pursuant to 18 U.S.C. § 924(d). Accordingly,

IT IS HEREBY ORDERED that the motion (Doc. 53) is **GRANTED**.

IT IS FURTHER ORDERED that Elmer Richard Petersen's interest in the following property is forfeited to the United States in accordance with 18 U.S.C. § 924(d):

- Smith & Wesson, model SD9VE Pistol, 9mm semi-automatic (S/N: HEB2348)

- Smith 7 Wesson, model M&P 380 Shield EZ, .380 caliber pistol (S/N: RDX0014)
- 98 Rounds Federal Ammunition, 9mm
- 8 Rounds Other Ammunition, .380 caliber

IT IS FURTHER ORDERED that the United States Marshals Service and the Bureau of Alcohol, Tobacco and Firearms shall seize the property subject to forfeiture and further shall make a return as provided by law.

IT IS FURTHER ORDERED that the United States shall provide written notice to all third parties asserting a legal interest in any of the above-described property and will post on an official government internet site (www.forfeiture.gov) for at least 30 consecutive days as required by Rule G(4)(a)(iv)(C) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions of the Court's Preliminary Order and the United States' intent to dispose of the property in such manner as the Attorney General may direct, pursuant to 18 U.S.C. § 924(d), and shall make its return to this Court that such action has been completed.

IT IS FURTHER ORDERED that upon adjudication of all third-party interests, if any, the Court will enter a final order of forfeiture and in any event this Order shall become final as to Mr. Petersen at sentencing and is incorporated into

any judgment issued in this case pursuant to Federal Rule of Criminal Procedure 32.2(b)(4)(A)-(B).

DATED this 14th day of September, 2023.



SUSAN P. WATTERS
United States District Court